

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**KEITH BRUNO TITSWORTH,**

**Petitioner,**

**v.**

**Case No. 22-381-JFH-GLJ**

**STEVEN HARPE, DOC Director,**

**Defendants.**

**OPINION AND ORDER**

Petitioner Keith Bruno Titsworth (“Titsworth”) is a pro se prisoner in the custody of the Oklahoma Department of Corrections (“DOC”) who is incarcerated at Lawton Correctional Facility in Lawton, Oklahoma. On December 29, 2022, he filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his murder conviction in Carter County District Court Case No. CF-2011-362. Dkt. No. 1. Titsworth claims the State of Oklahoma lacked subject-matter jurisdiction, because he is an Indian and the alleged crime occurred in Indian Country. *Id.* at 5.

On January 18, 2023, the Court found that Titsworth had not paid the required \$5.00 filing fee or submitted a proper motion for leave to proceed *in forma pauperis*. Dkt. No. 5. The Court Clerk mailed Titsworth a copy of the Court’s *in forma pauperis* form. *Id.* On January 20, Petitioner filed the *in forma pauperis* motion, however, it was denied. Dkt. No. 7. Petitioner was directed to pay the \$5.00 filing fee or to show cause why he is unable to pay the fee by February 13, 2023. *Id.* On April 19, 2023, the Court dismissed this action without prejudice for Titsworth’s failure to pay the filing fee as directed, and judgment was entered. Dkt. No. 10; Dkt. No. 11.

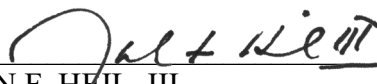
On May 10, 2023, the Court received a letter from Titsworth in response to the dismissal. Dkt. No. 12. The letter was construed as a motion for relief from a judgment or order pursuant to

Fed. R. Civ. P. 60(b). Dkt. No. 13. Titsworth alleges he asked his case manager if his disbursement was approved for the \$5.00 legal fee to this Court. His case manager advised that it was approved and sent out, and Titsworth never received a denial for the disbursement from the Lawton Correctional Facility Trust Fund. Titsworth also claims he wrote to the Court Clerk asking for a receipt for his filing fee, but he never received a response.

The Court has diligently searched its records and has found no record of Titsworth's paying the filing fee. In this Court, when a filing fee is paid by a prisoner, the prisoner is mailed a receipt. No receipt for a payment by Titsworth's was returned by the postal service. Further, although Titsworth claims his case manager told him the money had been disbursed, he has failed to submit a copy of his disbursement record to verify that the disbursement was made. Titsworth, therefore, is granted fourteen (14) days from the entry of this Opinion and Order to submit a copy of his Inmate Account History or other prison disbursement record showing that the \$5.00 filing fee was sent to this Court.

IT IS THEREFORE ORDERED that Petitioner Titsworth shall submit a copy of his Inmate Account History or other prison disbursement record showing that the \$5.00 filing fee for this case was sent to this Court no later than May 29, 2023.

Dated this 15th day of May 2023.

  
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JOHN F. HEIL, III  
UNITED STATES DISTRICT JUDGE